

June 9, 2005 Response. In the June 9, 2005 Response, Applicants noted that the Examiner's rejection of the claims did not address or allege the feature of the downloaded/distributed content can be redistributed to another user. The Examiner previously acknowledged that this feature was not disclosed or suggested by Durrett in the August 23, 2004 Office Action and used Kang (U.S. Patent Publication 20010051925) or Office Notice as the basis for this feature's rejection. As such, Applicants requested that this Office Action be made non-final, and that the Examiner explain where this feature is disclosed.

The Examiner, in this Office Action, states that the immediately previous Office Action was a non-final, where the Examiner changed the grounds of rejection because of a finding that the meaning of the phrases: "distributing a content" and "reproduction of a content" were allegedly indistinguishable. Applicants respectfully submit that the Examiner has stated that the terms are "construed as equivalent." As such, even on the Examiner's assumed construction of the terms, the Examiner should discuss how this feature is disclosed by the cited art in a non-final Office Action.

Applicants next argued that in Durrett, there would be no suggestion of a second comparison for reproducing the content. As to this argument, the Examiner states that the previous Office Action maps the claim languages to the features of Durrett in two stages: Stage I occurs after a user logs into a virtual disk server, from which he obtains an initial OCO to make his portal device operational. The Examiner states that the user is then free to access any web server for additional content and may store the content at the user's storage space with the virtual disk server [citing col. 1, line 66 - col. 2, line 11]. The Examiner further argues that the first

authentication occurs with the web server. Stage II occurs when the user logs into the virtual disk server (at a later time) to transfer a previously accessed content from to the portal device, wherein the second authentication occurs.

Applicants submit with respect to this argument that it is a new grounds of rejection. The Examiner has previously stated that it is *obvious* to use the same device's biometric feature capability for authenticating the content requester because it is well known that a biometric feature provides higher security in the process of authentication. Now the Examiner is arguing that this is disclosed in Durrett.

Applicants again submit that in Durrett, there would be no suggestion of a second comparison for reproducing the content. That is, Durrett does not disclose or suggest that once the portable device has accessed the virtual disk server and obtained its OCO's, is an authorization required to distribute information from a web server. Further, once the OCO's are on the portable device, there is no disclosure about access to or reproduction of the OCO's. In fact, Durett teaches away from this feature since it discloses that the base user portal device is essentially useless unless it is connected to a network having at least a virtual disk server (see col. 2, lines 24-26).

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. Application No. 09/840,269

Attorney Docket No. Q64131

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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